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January 11, 2008

APPLICATION GRANTED
SO ORDERED

BY TELECOPIER: 212-805-6724

The Honorable Frank Maas, United States Magistrate Judge
United States District Court - Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street - Room 740
New York, New York 10007

Frank Maas, USMJ 1/11/08

Re: ***Great White Bear, LLC v. Mervyns, LLC***
Index No. 06 Civ. 13358 (S.D.N.Y.)(RMB)(FM)

Dear Judge Maas:

I am the attorney for the Plaintiff Great White Bear, LLC. ("Plaintiff GWB") in the above-referenced diversity breach of contract action, but I write this letter on behalf of both Lisa Simpson, Esq., attorney for Defendant Mervyns, LLC ("Defendant Mervyns"), and myself. Counsel have agreed, in respectful deference to each other's professional schedule and commitments as well as experts' schedules and commitments, to adjust the following dates in the schedule for expert discovery: Plaintiff GWB's experts are due to be served January 21 (identity of Plaintiff GWB's experts has already been made per the original schedule); Defendant Mervyns's reports are due to be served February 27; and Plaintiff GWB's rebuttal reports are due to be served March 10. Because the original schedule dates were Court-ordered dates, both Lisa Simpson and I hereby respectfully request that the Court to "so order" this letter to make the agreed upon dates above the new Court-ordered dates. We thank you for your attention to this matter.

Respectfully submitted,
NESENOFF & MILTENBERG, LLP

By:


Philip A. Byler, Esq.

cc: Orrick, Herrington & Sutcliffe, LLP. - by telecopier
(Lisa T. Simpson, Esq.)